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16523 U.S. PTO

PTO/SB/05 (08/03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 10001-32102

First Inventor or Application Identifier Carl Steven Gifford, et al.

Title: Software Synchronizer for Software Defined Communication
System Signal Combiner

Express Mail Label No. EU 595343072 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

1. ☒ *Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 34]
- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table,
or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
4. ☒ Drawings (35 U.S.C. 113) [Total Sheets 13]
5. Oath or Declaration [Total Pages 3]
a. ☐ Newly executed (original or copy)
b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
i. ☐ **DELETION OF INVENTORS**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer
Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies) or
i.i. ☐ paper
c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS) PTO-1449
☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified copy of Priority Document(s)
(If foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(ii). Applicant must attach form PTO/SB/35
or its equivalent
17. ☐ Other

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-In-Part (CIP) of prior application No. 09 /639,496
Prior application information: Examiner Amanda T. Le Group Art Unit 2634

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number: 10-0460		Or <input type="checkbox"/> Correspondence address below	
Name			
Address			
City		Zip Code	
Country		Telephone	Fax
Name (Print/Type)	Mark P. Vrla	Registration No. (Attorney/Agent)	43,973
Signature	<i>M P Vrla</i>	Date	12/15/03

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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FEE TRANSMITTAL

for FY 2004

Effective 10/10/2003. Patent fees are subject to annual revision

[] Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$ 770

METHOD OF PAYMENT

[] Check [] Credit card [] Money Order [] Other [] None

[X] Deposit Account:

Deposit Account Number : 10-0460

Deposit Account Name : Jenner & Block, LLC

The Commissioner is authorized to : (check all that apply)

[X] Charge fee(s) indicate below [X] Credit any overpayments

[X] Charge any additional fee(s) during the pendency of this application

[] Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	\$ 770
1002 340	2002 170	Design filing fee	\$
1003 530	2003 265	Plant filing fee	\$
1004 770	2004 385	Reissue filing fee	\$
1005 160	2005 80	Provisional filing fee	\$
SUBTOTAL			\$ 770

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Total Claims	Extra Claims	Fee From Below	FEE PAID
	18	- 20* =	x 18	= 0
Independent Claims	2	- 3** =	x 84	= 0
Multiple Dependent Claims				=

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	**Reissue independent claims over original patent	
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL			\$ 0

*for number previously paid, if greater; For Reissues, see above

Complete if Known

Application Number	09/639,496
Filing Date	August 14, 2000
First Named Inventor	Carl Steven Gifford, et al.
Examiner Name	Amanda T. Le
Group Art Unit	2634
Attorney Docket No.	10001-32102


FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge-late filing fee or oath	\$
1052 50	2052 25	Surcharge-late provisional filing fee or cover sheet	\$
1053 130	1053 130	Non-English specification	\$
1812 2,520	1812 2,520	For filing request for ex parte reexamination	\$
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	\$
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	\$
1251 110	2251 55	Extension for reply within 1 st month	\$
1252 420	2252 210	Extension for reply within 2 nd month	\$
1253 950	2253 475	Extension for reply within 3 rd month	\$
1254 1,480	2254 740	Extension for reply within 4 th month	\$
1255 2,010	2255 1,005	Extension for reply within 5 th month	\$
1401 330	2401 165	Notice of Appeal	\$
1402 330	2402 165	Filing a brief in support of appeal	\$
1403 290	2403 145	Request for oral hearing	\$
1451 1,510	1451 1,510	Petition to institute public use proceeding	\$
1452 110	2452 55	Petition to revive - unavoidable	\$
1453 1,300	2453 665	Petition to revive - unintentional	\$
1501 1,300	2501 665	Utility issue fee (or reissue)	\$
1502 480	2502 240	Design issue fee	\$
1503 640	2503 320	Plant issue fee	\$
1460 130	1460 130	Petitions to the Commissioner	\$
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	\$
1806 180	1806 180	Submission of Information Disclosure Statement	\$
8021 40	8021 40	Recording each patent assignment per property (times # properties)	\$
1809 770	2809 385	Filing submission after final rejection (37 CFR § 1.129(a))	\$
1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))	\$
1801 770	2801 385	Request for Continued Examination (RCE)	\$
1802 900	1802 900	Request for expedited examination of a design application	\$
Other fee (specify)			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Mark P. Vrla	Registration No.	43,973	Telephone	312-222-9350
		(Attorney/Agent)			
Signature				Date	December 15, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) and application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Carl Steven Gifford, et al.
	Title	Software Synchronizer for Software Defined Communication System Signal Combiner
	Attorney Docket Number	10001-32102

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 15, 2003
Date


Signature

312-222-9350
Telephone number

Mark P. Vrla
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.